



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

JAY H. CONNELLY

Application No.: 09/823,421

Filed: March 29, 2001

For: SYSTEM AND METHOD FOR

TRANSPARENTLY OBTAINING CONSUMER PREFEENCES FOR PRODUCTS, PRODUCT FEATURES

AND DOODLICT MADVETING

Art Group: 2163

Examiner: To Be Assigned

RECEIVED
JUN 1 8 2003
GROUP 3600

## INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.97

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure, enclosed is a copy of Information Disclosure Statement by Applicant (form PTO/SB/08), which is being submitted before the mailing of a first Office Action. It is respectfully requested that the cited references be considered and that the enclosed copy of PTO/SB/08 be initialed by the Examiner to indicate such consideration and a copy thereof returned to applicant(s). Copies of the references cited on PTO/SB/08 are enclosed herewith.

It is hereby stated that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned, after making reasonable inquiry, no item of information contained in the Information Disclosure Statement was known to any individual associated with the filing or prosecution of the subject application more than three months prior to the filing of the Information Disclosure Statement.

The references were cited in a Search Report dated March 27, 2003 (copy enclosed herewith) from a foreign patent office in a counterpart PCT application, which was forwarded to Applicant's Representative in a communication dated April 3, 2003.

The submission of this Information Disclosure Statement is not to be construed as a representation that a search has been made in the subject application and is not to be construed as an admission that the information cited in this statement is material to patentability.

Please charge any fees due to Deposit Account 02-2666. A duplicate copy of the Fee Transmittal (PTO/SB/17) is enclosed for this purpose.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Date: June 12, 2003 Chimas Colft

Thomas M. Coester, Reg. No. 39,637

12400 Wilshire Blvd., 7th Floor Los Angeles, California 90025 (310) 207-3800

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Susan M. Barrette

Date

06-12-03

Complete if Known Substitute for form 1449A/PTO 09/823,421 Application Number INFORMATION DISCLOSURE March 29, 2001 Filing Date First Named Inventor Jay H. Connelly STATEMENT BY APPLICANT 2163 Art Unit (use as many sheets as necessary) To Be Assigned **Examiner Name** 2 1 Attorney Docket Number Sheet of 42390P10861

	U.S. PATENT DOCUMENTS						
Examiner Initials*	Cite No.1	Document Number  Number - Kind Code <sup>2</sup> (if known)	Publication Date or Issue Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		
		US-5,838,678	11-17-1998	Davis, et al.			
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-					
		US-		HEUEIV			
		US-		PECEIV	03		
		US-		300 1 0 1			
		US-		GROUP 3	3600		
		US-		GROOM			
		US-					
		US-			·		
		US-					
		US-					
		US-					
		US-					

	FOREIGN PATENT DOCUMENTS							
Examiner Cité		Foreign Patent Document			Pages, Columns, Lines,	т.		
Initials*	No.¹	Country Code <sup>3</sup> - Number <sup>4</sup> - Kind Code <sup>5</sup> (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear			
		EP 1 043 892 A1	10-11-2000	Sony Corporation				
		EP 1 089 571 A2	04-04-2001	Sony Corporation				
		WO 00/59204	10-05-2000	Diva Systems Corporation				
<b>!</b>								
	<u></u>							
		•						
					_			
	1	İ						

Examiner	Date		<u>,</u>
Signature	Considered		
_	 l		

\*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. <sup>3</sup>Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup>For Japanese patent documents, the indication of the year of reign of the Emperor must precede the serial number of the patent document. <sup>5</sup>Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup>Applicant is to place a check mark here if English language Translation is attached.

Based on PTO/SB/08A (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 05/02/2003.

Substitute for form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2

C mplet if Known				
Application Number	09/823,421			
Filing Date	March 29, 2001			
First Named Inventor	Jay H. Connelly			
Art Unit	2163			
Examiner Name	To Be Assigned			
Attorney Docket Number	42390P10861			

	OTHER ART - NON PATENT LITERATURE DOCUMENTS						
Examiner Initials*	Cite No.1	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Ţ²				
		Information Technology - Generic Coding of Moving Pictures and Associated Audio: Systems, Recommendation H.222.0, November 13, 1994, 155 pages					
		RECEIVED					
		JUN 1 8 2003					
		GROUP 3600					
	<del>- , . , </del>						
	-						

Examiner	•	Date
		1
Signature		Considered
0.9		Contolacion

Based on PTO/SB/08B (05-03) as modified by Blakely, Solokoff, Taylor & Zafman (wir) 05/02/2003. Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

<sup>\*</sup>Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.

<sup>&</sup>lt;sup>1</sup>Applicant's unique citation designation number. <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

AMENTS OF THE PARTY OF THE PART

2/63 #27 6,20-03

TOANG		Application No.	09/82	23,421			
IRANS	SMITTAL F		Filing Date	ng Date March 29, 2001			
(to be used for all	correspondence aft	er initial filing)	First Named Inventor	Jay H	I. Connelly		
			Group Art Unit	2163	,,		
		Examiner Name	To B	e Assigned			
Total Number of I	Pages in This Submission	on 7	Attorney Docket Number	er 4239	0P10861		
	ENCLO	SURES (chec	k all that apply)				
Fee Transmittal	Fee Transmittal Form Drawing(s)				After Allowance Communication to Group		
Fee Attack	hed	Licensing-related Papers			Appeal Communication to Board of Appeals and Interferences		
Amendment / Re	esponse	Petition			Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)		
After Fina Affidavits	al /declaration(s)	Petition to C Provisional	Convert a Application		Proprietary Information		
Extension of Time	ne Request	Power of Attorney, Revocation Change of Correspondence Address  Terminal Disclaimer			Status Letter		
Express Abando	nment Request				Other Enclosure(s) (please identify below):		
Information Disc	dosure Statement	Request for Refund			Return Receipt Postcard (1) PCT Search Report (8 pgs)		
PTO/SB/0		CD, Number of CD(s)			Cited References (5 Refs/196 pgs)		
Document(s)	•				RECEIVE		
Response to Mis		Remarks			WALIVED		
	c Filing Fee aration/POA		<b></b>		JUN 1 8 2003		
	e to Missing ler 37 CFR				GROUP 3600		
. <u>-</u>	SIGNATUR	E OF APPLICAN	IT, ATTORNEY, OR A	AGENT			
Firm or	Thomas M. Co	ester, Reg. N	o. 39,637				
Individual name	BLAKELY, S	OKOLOFF,	TAYLOR & ZAI	FMAN I	LLP		
Signature	Thomas C	oeste		_			
Date	Date June 12, 2003						
	CERTIFICATE OF MAILING/TRANSMISSION						
I hereby certify that this postage as first class m	s correspondence is bein nail in an envelope addre	g deposited with the ssed to: Commission	e United States Postal Se oner for Patents, P.O. Bo	rvice on the 1450, Ale	e date shown below with sufficient xandria, VA 22313-1450.		
Typed or print d na	ame Susan M Ba	rrette /	2				
Signature	3/4	prett		Date	June 12, 2003		

· • • • • • • • • • • • • • • • • • • •					
FEE TRANSMITTAL	Complete if Known				
	Application Number	09/823,421			
for FY 2003	Filing Date	March 29, 2001			
Effective 01/01/2003. Patent fees are subject to annual revision.	First Named Inventor	Jay H. Connelly			
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name	To Be Assigned			
	Group/Art Unit	2163			
TOTAL AMOUNT OF PAYMENT (\$)	Attorney Docket No.	42390P10861			

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)				
☐ Check ☐ Credit card ☐ Money ☐ Other ☐ None	3. A	DDITIO	NAL	FEES	5
Deposit Account	Large	Entity	Sma	II Entity	ry_
Deposit [	Fee Code	Fee (\$)	Fee Code	Fee (\$)	FeeDescripton FeePaid
Account Number 02-2666	1051	130	20064	65	Fee Description Fee Paid  Surcharge - late filing fee or oath
Deposit	1051 1052	50	2051 2052	25	Surcharge - late provisional filing fee or
Account Name Blakely, Sokoloff, Taylor & Zafman LLP					cover sheet.
The Commissioner is authorized to: ( check all that apply)	2053 1812	130 2,520	2053 1812	130 2,520	Non-English specification  For filing a request for exparte reexamination
Charge fee(s) indicated below Credit any overpayments	1804	920 *	1804	920	* Requesting publication of SIR prior to
Charge any additional fee(s) required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.		4.040.4			Examiner action
Charge fee(s) indicated below, except for the filing fee	1805	1,840 *	1805	1,840	Requesting publication of SIR after Examiner action
to the above-identified deposit account	1251	110	2251	55	Extension for reply within first month
FEE CALCULATION	1252	410	2252	205	Extension for reply within second month
1. BASIC FILING FEE	1253	930	2253	465	Extension for reply within third month
Large Entity Small Entity Fee Fee Fee Fee Description FeeDed	1254	1,450	2254	725	Extension for reply within fourth month
Fee Fee Fee Fee Description Fee Paid  Code (\$)  Fee Fee Fee Description Fee Paid	1255	1,970	2255	985	Extension for reply within fifth month
1001 750 2001 375 Utility filing fee	1404	320	2401	160	Notice of Appeal
1002 330 2002 165 Design filing fee	1402 1403	320 280	2402 2403	160 140	Filing a brief in support of an appeal  Request for oral hearing
1003 520 2003 260 Plant filing fee	1451	1,510	2451	1,510	Petition to institute a public use proceeding
1004 750 2004 375 Reissue filing fee 1005 160 2005 80 Provisional filing fee	1452	110	2452	55	Petition to revive - unavoidable
····	1453	1,300	2453	650	Petition to revive - unintentional
SUBTOTAL (1) (\$)	1501	1,300	2501	650	Utility issue fee (or reissue)
2. EXTRA CLAIM FEES Extra Fee from	1502	470	2502	235	Design issue fee
Claims below FeePaid	1503	630	2503	315	Plant issue fee RECEIVED  Petitions to the Commissioner
Independent - 20 = X	1460	130	2460	130	Petitions to the Commissioner
Claims 3 X = Multiple Dependent	1807 1806	50 180	1807 1806	50	Processing fee under 37 CFR 1.17 ON 1 8 2003
Large Entity   Small Entity	8021	40	8021	180 40	Recording each patent assentiated
Fee Fee Fee Fee Description				~	Recording each pater assume PUP 3600
Code (\$) Code (\$)	1809	750	1809	375	Filing a submission after final rejection (37 CFR § 1.129(a))
1202 18 2202 9 Claims in excess of 20 1201 84 2201 42 Independent claims in excess of 3	1810	750	2810	375	`
1201 84 2201 42 Independent claims in excess of 3 1203 280 2203 140 Multiple Dependent claim, if not paid	.0.0	,	2010	0,0	examined (37 CFR § 1.129(b))
1204 84 2204 42 **Reissue independent claims over original	1801	750	2801	375	Request for Continued Examination (RCE)
patent	1802	900	1802	900	Request for expedited examination of a design application
1205 18 2205 9 **Reissue claims in excess of 20 and over original patent	Other fe	e (specify)			
SUBTOTAL (2) (\$)					
**or number previously paid, if greater, For Reissues, see below	* Reduced	d by Basic F	iling Fee	Paid	SUBTOTAL (3)
SUBMITTED BY		-			Complete (if applicable)
Name (Print/Type) Thomas M. Coester		egistratio		] 3	39,637 Telephone (310) 207-3800
Signature Thomas Colote	1,7.	-,	<del>-</del> -		Date 06/12/03